



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,403	12/18/2000	George P. Copeland	AUS9000463US1	5852
35617	7590	04/16/2004	EXAMINER	
CONLEY ROSE, P.C. P.O. BOX 684908 AUSTIN, TX 78768			YUSSUF, SAJID	
			ART UNIT	PAPER NUMBER
			2141	
DATE MAILED: 04/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/740,403

Applicant(s)

COPELAND ET AL.

Examiner

Sajid A Yussuf

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03/01/2001-12/30/2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4 12/18/2000</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. ***Claim(s) 1-24 is/are rejected under 35 U.S.C. 102(e) as being anticipated by Challenger et al. (US Patent Application Publication No. 2002/0143868 and Challenger hereinafter)***

5. As per claim(s) 1, 20, 23, 24 Challenger discloses a software system supporting distributed web applications between a client and a server, (See Column 2 Paragraph(s) 0032), commands, comprising executable code (i.e., Boot files) and associated data (i.e., applications), (See Column 2 Paragraph(s) 0032); server pages, comprising executable code and associated data; wherein in a Java Server Page comprises of executable code as well as data, (See Column 4 Paragraph(s) 0050) and a common cache within the server, (See Column 4 Paragraph(s) 0047-0049) comprising: a first

portion, in which code and data associated with commands may be stored; a second portion, in which code and data associated with server pages may be stored; and a third portion, in which code and data associated with either commands or server pages may be stored, (See Column 6 Paragraph(s) 0081-0088).

6. As per claim(s) 2 Challenger teaches the claimed invention as described in claim(s) 1 above and furthermore discloses commands and server pages may be requested by the client, (See Column 6 Paragraph(s) 0084).

7. As per claim(s) 3 Challenger teaches the claimed invention as described in claim(s) 1-2 above and furthermore discloses commands and server pages may execute in the server, (See Column 2 Paragraph(s) 0032).

8. As per claim(s) 4 Challenger teaches the claimed invention as described in claim(s) 1-3 above and furthermore discloses the cache has an associated cache ID, and code and data associated with commands or server pages stored in the third portion of the common cache, (See Column 5 Paragraph(s) 0069 & Column 6 Paragraph(s) 0083) comprises a hash table, which maps cache, IDs onto cache entries, (See Column 8 Paragraph(s) 0101).

9. As per claim(s) 5 Challenger teaches the claimed invention as described in claim(s) 1-4 above and furthermore discloses code and data associated with commands or server pages stored in the third portion of the common cache further comprises a Least Recently Used (LRU) mechanism, which defines how long commands and server pages may remain in the cache without being requested by the client, before being removed, (See Column 5 Paragraph(s) 0066).

10. As per claim(s) 6 Challenger teaches the claimed invention as described in claim(s) 1-5 above and furthermore discloses code and data associated with commands or server pages stored in the third portion of the common cache further comprises a list of data IDs corresponding to data

records upon which said commands or server pages are dependent, (See Column 5 Paragraph(s) 0069).

11. As per claim(s) 7 Challenger teaches the claimed invention as described in claim(s) 1-6 above and furthermore discloses code and data associated with commands or server pages stored in the third portion of the common cache further comprises a mutex mechanism, which may allow a web application exclusive access to said commands or server pages, (See Column 5 Paragraph(s) 0063).

12. As per claim(s) 8 Challenger teaches the claimed invention as described in claim(s) 1-7 above and furthermore discloses code and data associated with commands or server pages stored in the third portion of the common cache further comprises cluster services, which are used by the server to send messages to other servers, (See Column 2 Paragraph(s) 0032).

13. As per claim(s) 9 Challenger teaches the claimed invention as described in claim(s) 1-8 above and furthermore discloses code and data associated with commands and server pages stored in the third portion of the common cache further comprises a pin mechanism, which prevents said commands and server pages from being removed from the common cache by the LRU mechanism; wherein pinned mechanism can be chosen if the LRU algorithm is not desired thus preventing the removal from common cache by the LRU algorithm, (See Column 5 Paragraph(s) 0066).

14. As per claim(s) 10 Challenger teaches the claimed invention as described in claim(s) 1-9 above and furthermore discloses code and data associated with commands and server pages stored in the third portion of the common cache further comprises a time limit, which defines how long said commands and server pages may remain in the cache before being updated, (See Column 5 Paragraph(s) 0067).

15. As per claim(s) 11 Challenger teaches the claimed invention as described in claim(s) 1-10 above and furthermore discloses data associated with commands and server pages stored in the

third portion of the common cache further comprises a batch update mechanism, which globally updates or invalidates a plurality of commands or server pages in the common cache, (See Column 5 Paragraph(s) 0067 & Column 6 Paragraph(s) 0071).

16. As per claim(s) 12 Challenger teaches the claimed invention as described in claim(s) 1-11 above and furthermore discloses associated with each of the commands and server pages within the cache is a unique template, and wherein code and data associated with an commands and server pages stored in the third portion of the common cache further comprise a list of template dependencies, which matches commands and server pages in the cache with their templates, (See Column 6 Paragraph(s) 0088).

17. As per claim(s) 13 Challenger teaches the claimed invention as described in claim(s) 1-12 above and furthermore discloses an object-oriented software system, (See Column 6 Paragraph(s) 0088).

18. As per claim(s) 14 Challenger teaches the claimed invention as described in claim(s) 1-13 above and furthermore discloses the server comprises a Java Virtual Machine (JVM), (See Column 7 Paragraph(s) 0089).

19. As per claim(s) 15,21 Challenger teaches the claimed invention as described in claim(s) 1-14 & 20 above and furthermore discloses server pages comprise Java Server Pages (JSPs), (See Column 4 Paragraph(s) 0050).

20. As per claim(s) 16 Challenger teaches the claimed invention as described in claim(s) 1-15 above and furthermore discloses requested commands not found in the cache of the server may be requested from a second server; wherein if the servers are configured in a cluster it is interpreted that if commands cannot be found on one server cache then they can be requested from another server, (See Column 2 Paragraph(s) 0034 & Column 3 Paragraph(s) 0035).

21. As per claim(s) 17 Challenger teaches the claimed invention as described in claim(s) 1-16 above and furthermore discloses requested commands not found in the cache of the second server are executed by the second server, stored in its cache, and returned to the first server; wherein if the servers are configured in a cluster it is interpreted that servers function as entities that provide service to users therefore commands can be executed and stored at the second server and later transferred depending upon the configuration of the servers, (See Column 2 Paragraph(s) 0034 & Column 3 Paragraph(s) 0035).

22. As per claim(s) 18 Challenger teaches the claimed invention as described in claim(s) 1-17 above and furthermore discloses requested server pages not found in the cache of the first server may be requested from the second server; ; wherein if the servers are configured in a cluster it is interpreted that they function as a "team" wherein if one server does not have the specific data available it can request if from another server to obtain the specific data, (See Column 2 Paragraph(s) 0034 & Column 3 Paragraph(s) 0035).

23. As per claim(s) 19 Challenger teaches the claimed invention as described in claim(s) 1-18 above and furthermore discloses requested server pages not found in the cache of the second server are executed by the second server, stored in its cache, and returned it to the first server; wherein if the servers are configured in a cluster it is interpreted that servers function as entities that provide service to users therefore commands can be executed and stored at the second server and later transferred depending upon the configuration of the servers, (See Column 2 Paragraph(s) 0034 & Column 3 Paragraph(s) 0035).

24. As per claim(s) 22 Challenger discloses the web server includes a processor, memory, mass storage and a network interface, and the software system is adapted to permit storing executable code and data associated with commands and server pages in a common cache, (See Column 3 Paragraph(s) 0037-0040).

Conclusion

25. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Agarwal et al. (US Patent No. 5,822,749) discloses Database system with methods for improving query performance with cache optimization strategies;

b. Jawahr et al. (US Patent No. 6,298,356) discloses methods and apparatus for enabling dynamic resource collaboration;


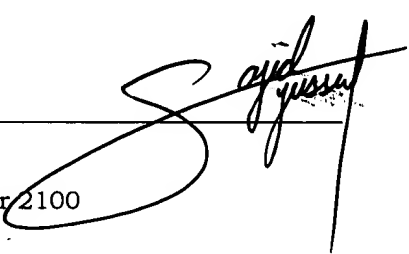
c. Matsuoka et al. (US Patent Application Publication No. 2002/0010753) discloses methods and apparatus for delivering dynamic information in a computer network;

26. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajid A Yussuf whose telephone number is (703) 305-8752. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM and Alternate Fridays.

27. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

28. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sajid Yussuf
Patent Examiner
Technology center 2100
13 April 2004



RUPAL DHARIA
SUPERVISORY PATENT EXAMINER